

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANGELO LINELL DAVIS,	:	CIVIL ACTION NO. 1:12-CV-205
Petitioner	:	
	:	(Judge Conner)
v.	:	
	:	
LOUIS FOLINO, et al.,	:	
Respondent	:	

ORDER

AND NOW, this 15th day of January, 2013, upon consideration of the Report and Recommendation of United States Judge Thomas M. Blewitt (Doc. 21), recommending that the petition for writ of habeas corpus (Doc. 1) be dismissed and that petitioner's motion for release of documents and transcripts be denied, and, following an independent review of the record, and noting that petitioner filed objections¹ to the report on January 2, 2013 (Doc. 27), and the court finding Judge Blewitt's analysis to be thorough and well-reasoned, and the court finding petitioner's objections to be without merit and squarely addressed by Judge Blewitt's report (Doc. 21), it is hereby ORDERED that:

¹ Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. Supinski v. United Parcel Serv., Civ. A. No. 06-0793, 2009 WL 113796, at *3 (M.D. Pa. Jan. 16, 2009) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" Id. (citing Shields v. Astrue, Civ. A. No. 07-417, 2008 WL 4186951, at *6 (M.D. Pa. Sept. 8, 2008)).

1. The Report and Recommendation of Magistrate Judge Blewitt (Doc. 21) are ADOPTED.
2. The petition for writ of habeas corpus (Doc. 1) is DISMISSED as untimely.
3. Petitioner's motion for release of documents and transcripts (Doc. 14) is DENIED as moot.
4. The Clerk of Court is directed to CLOSE this case.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge